



**Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
January 12, 2005**

Chairman of the Board David Dermer  
Member of the Board Matti Herrera Bower  
Member of the Board Simon Cruz  
Member of the Board Luis R. Garcia, Jr.  
Member of the Board Saul Gross  
Member of the Board Jose Smith  
Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez  
Assistant Director Christina M. Cuervo  
Assistant Director Mayra Diaz Buttacavoli  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL
2. OLD BUSINESS
  - A Report Of The Itemized Revenues And Expenditures Of The Miami Beach Redevelopment Agency For The Month Of November 2004. (Page 592)
3. NEW BUSINESS
  - A A Resolution Of The Chairman And Members Of The Redevelopment Agency Of The City Of Miami Beach, Florida, Approving Final Payment To The Firm Of Spillis Candela DMJM, In The Amount Of \$19,335, For Completion Of Consulting Services On The Bass Museum Expansion And Renovation Project, And Further Appropriating Funds, In The Amount Of \$19,335, From City Center Redevelopment Agency Funds. **Joint City Commission and Redevelopment Agency** (Page 628)

**End of RDA Agenda**



## HOW A PERSON MAY APPEAR BEFORE THE REDEVELOPMENT AGENCY OF THE CITY OF MIAMI BEACH, FLORIDA

The regularly scheduled meetings of the Redevelopment Agency are established by Resolution and are generally held on the same day the Miami Beach City Commission holds their regularly scheduled meetings. The Redevelopment Agency meetings commence at 10:00 a.m.

1. Jorge M. Gonzalez has been designated as the Agency's Executive Director.  
Robert Parcher has been designated as the Agency's Secretary.
2. Person requesting placement of an item on the agenda must provide a written statement to the Agency Executive Director, 4th Floor, City Hall, 1700 Convention Center Drive, telephone 673-7285, outlining the subject matter of the proposed presentation. In order to determine whether or not the request can be handled administratively, an appointment will be set up to discuss the matter with a member of the Executive Director's staff. Procedurally, "Request for Agenda Consideration" will not be placed upon the Agency agenda until after Administrative staff review. Such review will ensure that the issue has been addressed in sufficient detail so that the Agency members may be fully apprised of the matter to be presented. Persons will be allowed three (3) minutes to make their presentation and will be limited to those subjects included in their written request. Such written requests must be received in the Executive Director's office no later than noon on Tuesday of the week prior to the scheduled Agency meeting to allow time for processing and inclusion in the agenda package.
3. Once an agenda for the Redevelopment Agency meeting is published, and a person wishes to speak on items listed on the agenda, he/she may call or come to the Agency Secretary's Office, 1st floor, City Hall, 1700 Convention Center Drive, telephone 673-7411, before 5:00 p.m., on the Tuesday prior to the Agency meeting and give their name, the agenda item to be discussed and, where known, the agenda item number.

Copies of the Agency agenda may be reviewed at the Agency's Secretary Office (City Clerk's Office) on the Monday prior to the Agency's regular meeting.

The complete agenda, with all backup material, is available for inspection on the Monday prior to the Agency meeting at the Agency Secretary office (City Clerk's Office).

4. All persons who have been listed by the Agency Secretary to speak on the agenda item in which they are specifically interested, will be allowed up to three (3) minutes to present their views.

Robert Parcher  
Agency Secretary

March 7, 2001



# **CITY OF MIAMI BEACH**

## **2005 CITY COMMISSION AND REDEVELOPMENT AGENCY MEETINGS**

Wednesday, January 12

Wednesday, February 2

Wednesday, February 23

Wednesday, March 16

Wednesday, April 13

Wednesday, May 4

Wednesday, May 25

Wednesday, June 8

Wednesday, July 6

Wednesday, July 27

August, RDA is in recess

Wednesday, September 7

Wednesday, October 19

Wednesday, November 2 \*

Wednesday, November 16\*  
(if run-off required)

Wednesday, December 7

\*Election items only



**REPORT OF THE ITEMIZED  
REVENUES AND EXPENDITURES  
  
OF THE  
  
MIAMI BEACH REDEVELOPMENT  
AGENCY  
  
FOR THE MONTH OF  
NOVEMBER 2004**

Agenda Item 2A  
Date 01-12-05

# MIAMI BEACH REDEVELOPMENT AGENCY

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.ci.miami-beach.fl.us



## REDEVELOPMENT AGENCY MEMORANDUM

**To:** Chairman and Members of  
the Miami Beach Redevelopment Agency

**Date:** January 12, 2005

**From:** Jorge M. Gonzalez  
Executive Director

**Subject: REPORT OF THE ITEMIZED REVENUES AND EXPENDITURES OF THE  
MIAMI BEACH REDEVELOPMENT AGENCY FOR THE TWO MONTHS  
ENDED NOVEMBER 30, 2004**

On July 15, 1998 the Chairman and Members of the Board of the Miami Beach Redevelopment Agency resolved that an itemized report of the revenues and expenditures of the Miami Beach Redevelopment Agency, with respect to each redevelopment area, would be made available to the Chairman and Members of the Board of the Miami Beach Redevelopment Agency at the end of each month. Further, it was resolved that such report would be made available no later than five days prior to the second regularly scheduled Redevelopment Agency meeting in the month immediately following the month for which such report is prepared and that the report would be placed on the Redevelopment Agency Agenda for the second meeting of each month as a discussion item. Because the distribution date for the second Commission meeting of some months falls prior to our receipt of bank statements for the month, we advised on October 21, 1998, that beginning with the report for the month ending October 31, 1998 all monthly Redevelopment Agency reports would henceforth be included as part of the agenda for the first Commission meeting of each month.

The attached material includes the following:

### **Section A - South Pointe Redevelopment District**

- Summary of Cash Basis Transactions by Project and by Expenditure Type for the Fiscal Years Ended September 30, 1988 through 2004 and the Two Months Ended November 30, 2004
- Check and Wire Transfer Register sorted by Project and Type of Expenditure for the Two Months Ended November 30, 2004
- Narrative of Major Projects Planned and/or Underway

### **Section B - City Center Redevelopment District**

- Summary of Cash Basis Transactions by Project and by Expenditure Type for the Fiscal Years Ended September 30, 1988 through 2004 and the Two Months Ended November 30, 2004

- Check and Wire Transfer Register sorted by Project and Type of Expenditure for the Two Months Ended November 30, 2004
- Narrative of Major Projects Planned and/or Underway

JMG:PDW:MIM:jar

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**SOUTH POINTE**

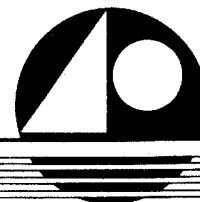
**REDEVELOPMENT DISTRICT**

**FINANCIAL INFORMATION**

**FOR THE MONTH ENDED**

**NOVEMBER 30, 2004**

Miami Beach  
Redevelopment Agency  
1700 Convention Center Drive  
Miami Beach, Florida 33139  
Telephone: (305) 673- 7295  
Fax: (305) 673- 7772



**January 12, 2005**

**TO: Jorge M. Gonzalez, Executive Director**

**FROM: Patricia D. Walker, Chief Financial Officer**  
**City of Miami Beach** *Tish*

**SUBJECT: South Pointe Redevelopment District Financial Information**  
**For the Two Months Ended November 30, 2004**

At the July 15, 1998 Commission/Redevelopment Agency meeting a request was made for monthly financial information for the South Pointe Redevelopment District. The information has been compiled and is attached.

#### **Historical Cash Basis Financial Information**

The summary report included in the attached material, reflects that during the period from October 1, 1987 through November 30, 2004 approximately \$101,786,000 of revenues were received in the South Pointe District of the Redevelopment Agency ("RDA").

The primary sources of these revenues included approximately:

\$ 81,505,000 - Incremental Ad Valorem tax;  
\$ 6,860,000 - Bond proceeds;  
\$ 5,188,000 - Land sale;  
\$ 3,097,000 - Interest income;  
\$ 2,981,000 - Rental income;  
\$ 1,000,000 - Loan from the City of Miami Beach;  
\$ 350,000 - State Grant; and  
\$ 805,000 - From various sources.

The opening cash balance for October 1, 1987 was approximately \$1,042,000; therefore, the total amount of funds available for the period was \$102,828,000.

On the expenditure side, approximately \$71,437,000 has been expended from October 1, 1987 through November 30, 2004.

**SOUTH POINTE**  
**Redevelopment District**

**CITY CENTER**  
**Redevelopment District**

These approximate expenditures were primarily made in the following areas:

- \$ 15,608,000 - Cobb/Courts Project;
- \$ 13,192,000 - Debt Service Payments;
- \$ 11,832,000 - Portofino Project;
- \$ 9,460,000 - South Pointe Streetscape/Park;
- \$ 6,447,000 - SSDI Project;
- \$ 6,146,000 - Administrative Costs;
- \$ 5,727,000 - Marina Project;
- \$ 1,045,000 - Carner-Mason Settlement and Other Reimbursements;
- \$ 596,000 - Community Policing; and
- \$ 1,384,000 - Other Project Costs.

The cash balance as of November 30, 2004 is approximately \$31,391,000. This balance consisted of the following amounts:

- \$ 29,840,000 – Cash and Investment balance;
- \$ 804,000 – 1989 Bonds Sinking Fund Principal Account;
- \$ 710,000 – 1989 Bonds Sinking Debt Service Reserve Account; and
- \$ 37,000 – 1989 Bonds Sinking Fund Interest Account.

JMG:PDW:MIM:jan

A handwritten signature in black ink, appearing to be 'JMG', is written over the typed name 'JMG:PDW:MIM:jan'.

**SUMMARY OF**  
**CASH BASIS TRANSACTIONS**  
**FOR THE MONTH ENDED**  
**NOVEMBER 30, 2004**

**Redevelopment Agency - South Pointe District**  
**Summary of Cash Basis Transactions by Project**  
**Fiscal Years 1988 - 2005 (through November 30, 2004)**

	Prior Years	FY 2005	Total Rev./Expend.
<b>OPENING CASH/INVSTMT BALANCE</b>	\$ 1,041,730	\$ 31,624,266	
<b>REVENUE</b>			
- Tax increment - City	43,745,702	-	\$ 43,745,702
- Tax increment - County	37,139,689	-	37,139,689
- Tax increment (Interest) - County	26,627	-	26,627
- Tax increment - Children's Trust	592,809	-	592,809
- Bond proceeds	6,860,000	-	6,860,000
- Cobb Partners - Closing Parcel 1, 2	5,187,944	-	5,187,944
- Marina rental income	2,972,795	8,000	2,980,795
- Interest income	3,032,071	65,061	3,097,132
- Loan from City	1,000,000	-	1,000,000
- Grants (Fla. Inland Navig.; shoreline restore.)	350,000	-	350,000
- Other Grants	5,000	-	5,000
- St. sales tax (receipt - income for pmt. to St)	190,545	1,400	191,945
- Daughters of Israel contrib.-reloc. Mikvah	28,000	-	28,000
- Consulting fee refund-Rahn S. Beach	27,026	-	27,026
- Olympus Hldg.-reimb. Portofino advertsg.	24,405	-	24,405
- Mendelson environ. reimb./refund	10,000	-	10,000
- Regosa Engineering refund - Marina	8,500	-	8,500
- Portofino DRI Payment from Greenberg T.	18,056	-	18,056
- Payment received from Greenberg T. for CMB	23,500	-	23,500
- Payment received from Olympus Holdings, Inc.	96,276	-	96,276
- Payment received from Marquesa, Inc.	2,000	-	2,000
- Cost of asbestos remediation reimb.-Cobb	5,800	-	5,800
- Miscellaneous income	4,719	-	4,719
- Galbut & Galbut contrib.-reloc. Mikvah	3,500	-	3,500
- Murano Two, Ltd-Cash Bond per Agreement	242,000	-	242,000
- Other (void ck; IRS refund; Am. Bonding)	56,490	58,581	115,071
<b>Total Revenues</b>	<b>101,653,454</b>	<b>133,042</b>	<b>\$ 101,786,496</b>

**EXPENDITURES**

**PROJECTS**

Cobb/Courts	(15,608,223)	-	(15,608,223)
Marina	(5,725,682)	(919)	(5,726,601)

**Redevelopment Agency - South Pointe District**  
**Summary of Cash Basis Transactions by Project**  
**Fiscal Years 1988 - 2005 (through November 30, 2004)**

	Prior Years	FY 2005	Total Rev./Expend.
Portofino	(11,726,826)	(104,795)	(11,831,621)
South Pointe Streetscape	(9,368,026)	(92,405)	(9,460,431)
SSDI	(6,446,941)	-	(6,446,941)
Fifth St. Beautification	(300,000)	-	(300,000)
Beach Colony (l'scape/stscape/site imprvmt)	(80,912)	-	(80,912)
Marriott	(53,061)	-	(53,061)
Washington Ave.	(469,132)	-	(469,132)
Design guidelines	(43,708)	-	(43,708)
MBTMA/Mobility	(32,225)	-	(32,225)
S. Pointe Zoning	(20,819)	-	(20,819)
Alaska Baywalk	(80,768)	(4,772)	(85,540)
Victory/Community Gardens	(155,961)	-	(155,961)
Washington Park	(625)	-	(625)
Water/Sewer Pump Station Upgrade	(47,583)	-	(47,583)
Flamingo S. Bid A R.O.W.	(31,479)	-	(31,479)
Potamkin Project	(7,200)	-	(7,200)
Miscellaneous	(56,159)	-	(56,159)
<b>Total Projects</b>	<b>(50,255,330)</b>	<b>(202,891)</b>	<b>(50,458,221)</b>
<b><u>ADMINISTRATIVE</u></b>	<b>(6,142,359)</b>	<b>(4,047)</b>	<b>(6,146,406)</b>
<b><u>DEBT SERVICE/LOAN REPAYMENT</u></b>	<b>(13,191,941)</b>	<b>-</b>	<b>(13,191,941)</b>
<b><u>MISCELLANEOUS</u></b>			
Carner Mason settlement	(946,163)	-	(946,163)
City of Miami Beach (reimburse water main)	(74,067)	-	(74,067)
Miscellaneous	(24,503)	-	(24,503)
	<b>(1,044,733)</b>	<b>-</b>	<b>(1,044,733)</b>
<b><u>COMMUNITY POLICING</u></b>	<b>(436,555)</b>	<b>(159,631)</b>	<b>(596,186)</b>
<b>TOTAL EXPENDITURES</b>	<b>(71,070,918)</b>	<b>(366,569)</b>	<b>\$ (71,437,487)</b>
<b>ENDING CASH/INVSTMT. BALANCE</b>	<b>\$ 31,624,266</b>	<b>\$ 31,390,739</b>	

**Redevelopment Agency - South Pointe District**  
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<b>Total Revenues</b>	<b>101,653,454</b>	<b>133,042</b>	<b>\$ 101,786,496</b>
<b>Expenditures</b>			
Land acquisition	(9,444,065)	-	\$ (9,444,065)
Legal fees/costs	(7,055,232)	(1,928)	(7,057,160)
Professional services	(4,898,771)	(97,177)	(4,995,948)
Construction	(14,128,650)	-	(14,128,650)

**Redevelopment Agency - South Pointe District**  
**Summary of Cash Basis Transactions by Expenditure Type**  
**Fiscal Years 1988 - 2005 (through November 30, 2004)**

	Prior Years	FY 2005	Total Rev./Expend.
Utilities relocation	(1,873,213)	-	(1,873,213)
Environmental	(397,344)	-	(397,344)
Submerged land lease	(1,866,751)	-	(1,866,751)
Lease agreements	(6,863,371)	-	(6,863,371)
Miscellaneous	(2,155,082)	(919)	(2,156,001)
Property Taxes	(275,589)	(89,085)	(364,674)
Common Area Maintenance	-	(13,782)	(13,782)
Administration	(6,142,359)	(4,047)	(6,146,406)
Debt Service/loan repayment	(13,191,941)	-	(13,191,941)
Refund of Cash Bond	(242,000)	-	(242,000)
Miscellaneous Project Costs	(2,099,995)	-	(2,099,995)
Community Policing	(436,555)	(159,631)	(596,186)
	<u>(71,070,918)</u>	<u>(366,569)</u>	<u>\$ (71,437,487)</u>
<b>ENDING CASH/INVSTMT. BALANCE</b>	<u>\$ 31,624,266</u>	<u>\$ 31,390,739</u>	

**CHECK & WIRE TRANSFER  
REGISTER**

**SORTED BY**

**PROJECT & TYPE OF  
EXPENDITURE**

**FOR THE MONTH ENDED  
NOVEMBER 30, 2004**

**Redevelopment Agency - South Pointe District**  
**Check & Wire Transfer Register by Project & Type of Expense**  
**Fiscal Year 2004 (through November 30, 2004)**

Check #	Date	Payee	Amount	Type of Expense	Project or N/A
6375	10/19/04	***Void***	0.00 <u>0.00</u>		Administration
6398	11/17/04	Wachovia Bank	1,916.25 <u>1,916.25</u>	Annual Admin. Fees for Bond Series	Administration
6376	10/19/04	Department of Community Affairs	175.00	Misc.-Annual Special District Fee	Administration
6388	11/15/04	Iron Mountain	44.02	Miscellaneous-Storage	Administration
6391	11/15/04	Rockhurst Continuing Education	37.45	Miscellaneous	Administration
6394	11/17/04	Florida Redevelopment Association	297.50	Miscellaneous-Annual Dues	Administration
6397	11/17/04	Toshiba Business Solutions	212.42 <u>766.39</u>	Miscellaneous-Copier Rental	Administration
Wire	10/19/04	Florida Department of Revenue	682.50	Sales Tax	Administration
Wire	11/19/04	Florida Department of Revenue	682.50 <u>1,365.00</u>	Sales Tax	Administration
<b>TOTAL ADMINISTRATION</b>			<b>4,047.64</b>		
6377	10/25/04	J.C. White Office Furniture	7,073.54	Office Furniture	Community Policing
6378	10/25/04	Software House International, Inc.	804.78	Computer Software	Community Policing
6380	10/25/04	David De La Espriella	279.40	Reimb CMB-Travel	Community Policing
6381	10/27/04	City of Miami Beach	1,589.85	Reimb CMB - Visa Charges	Community Policing
6383	11/02/04	Law Enforcement Supply	24,036.29	Police Sedans Lighting & Equipment	Community Policing
6384	11/09/04	Kishick Enterprises, Inc.	400.00	School Resource Liaison	Community Policing
6385	11/09/04	RMVW Enterprises, Inc.	640.00	School Resource Liaison	Community Policing
6386	11/12/04	RMVW Enterprises, Inc.	1,600.00	School Resource Liaison	Community Policing
6401	11/19/04	RMVW Enterprises, Inc.	1,575.00	School Resource Liaison	Community Policing
6400	11/18/04	Motorola	26,100.00	Six Police Vehicles Radios	Community Policing
6402	11/19/04	US Wrecking & Land Clearing	800.00	Police Substation - Asbestos Survey	Community Policing
6403	11/23/04	F&L Construction	94,732.44 <u>159,631.30</u>	Police Substation-Construction Services	Community Policing
<b>TOTAL COMMUNITY POLICING</b>			<b>159,631.30</b>		
6382	10/28/04	FPL	314.12	Utilities - Parking Garage	Marina
6395	11/17/04	FPL	605.38 <u>919.50</u>	Utilities - Parking Garage	Marina
<b>TOTAL MARINA</b>			<b>919.50</b>		
6389	11/15/04	Jorden Burt Berenson & Johnson LLP	1,928.01 <u>1,928.01</u>	Legal Fees	Portofino
6396	11/17/04	Miami - Dade County Tax Collector	38,484.51	Ad Valorem Prop. Tax - Murano	Portofino
6399	11/17/04	Miami - Dade County Tax Collector	50,600.02 <u>89,084.53</u>	Ad Valorem Prop. Tax - Murano Two	Portofino
6404	11/23/04	Murano at Portofino Condo Association	13,781.82 <u>13,781.82</u>	Murano Garage Maintenance	Portofino
<b>TOTAL PORTOFINO</b>			<b>104,794.36</b>		
6379	10/25/04	Wolfberg Alvarez	15,911.62	Professional Services-SP Street Ph. 2	S. Pointe Streetscape
6387	11/15/04	Hazen & Sawyer	76,492.58 <u>92,404.20</u>	Professional Services-SP Street Ph. 1-5	S. Pointe Streetscape
<b>TOTAL S. POINTE STREETSCAPE</b>			<b>92,404.20</b>		
6392	11/15/04	Armor Security	2,553.87	Security Services	Alaska Baywalk
6393	11/16/04	Armor Security	2,157.81 <u>4,711.68</u>	Security Services	Alaska Baywalk

Redevelopment Agency - South Pointe District  
Check & Wire Transfer Register by Project & Type of Expense  
Fiscal Year 2004 (through November 30, 2004)

Check #	Date	Payee	Amount	Type of Expense	Project or N/A
6390	11/15/04	The Miami Herald	60.00	Advertising	Alaska Baywalk
			60.00		
		<b>TOTAL ALASKA BAYWALK</b>	<b>4,771.68</b>		
		<b>REPORT TOTAL</b>	<b>\$ 366,568.68</b>		

**ATTACHMENT “A”**

**SUMMARY OF MAJOR  
PROJECTS**

## **REDEVELOPMENT PROJECTS (Planned and/or Underway)**

### **South Pointe Projects:**

#### **Project**

**Status - as of 12/28/04**

#### **Courts and Cosmopolitan Project (Formerly the Courts of South Beach)**

A Mediterranean town-house development located between First and Second Streets and between Alton Road and Washington Avenue. The project is the subject of a Development Agreement, executed by the RDA in 1989. Phases I, II, III and V, made up of residential and commercial are complete. Phase IV, consisting of 231 residential units and 10 commercial units was substantially completed in Summer, 2004.

In conformance with the original Development Agreement, the developer completed construction of a Piazza/bus station shelter located on Alton Rd. at 2<sup>nd</sup> Street which includes landscaping and pavers. Additionally, the developer has completed streetscape improvements from Meridian to Washington on 1<sup>st</sup> and 2<sup>nd</sup> Streets. Streetscape improvements include new paving, sidewalks, drainage and landscaping and irrigation.

Since the execution of the original Development Agreement, the development rights have transitioned to two additional developers. Groupe Pacific is currently the Developer of Record.

**Total Project Cost:** Est. \$100 Million

**Total CRA participation:** Est. \$16.5 Million - Land acquisition and related administrative and construction expenses.

#### **Library Project**

As part of the Courts Settlement Agreement, the RDA has exercised an option to purchase and contribute to the City of Miami Beach, a 5,000 square foot commercial condominium space in Phase I of the project, which is to be utilized as a Library or for other public usage that is mutually agreed to by the parties. On December 23, 2004, the RDA closed on the transaction, modifying the terms of the purchase, to provide for payment of the purchase price in full, discounted to reflect the present dollar value in the amount of \$234,580. The Library space received a Certificate of Occupancy on December 28, 2004, allowing for turn-over to the Library to proceed.

**Total Project Cost:** \$795,000

**Total CRA participation:** \$275,000

## **Project**

**Status - as of 12/28/04**

### **Community/Victory Garden**

In an effort to provide increased parking in the South Pointe area, and in an effort to maximize the future use of City assets, the Community Garden located at 131-139 Washington Avenue will be moved to 224 Collins Avenue. From March 2001 through September 2001, several Community meetings were held to discuss this issue with residents and City Staff. In January 2002, an Architectural and Engineering Firm (Coastal Engineering) was selected and an agreement in the amount of \$16,120 was executed, and on March 19, 2003, the Board ratified the selection of Andrew Reid as the artist for the project as recommended by the Art in Public Places Committee for a fee of \$33,800. The Garden project, which was constructed through a JOC Contractor, has been completed and final Certificate of Occupancy has been obtained. The fence, already designed and permitted, is currently being installed and expected to be completed by the end of the year. The community gardening program is already underway in the Garden and a formal opening and dedication will be held to coincide with the installation of a memorial plaque, commemorating Joe Villari, who was active in the South Pointe neighborhood.

**Total Project Cost:** Est. \$192,200

**Total CRA participation:** Est. \$192,200

### **Portofino**

Development of the Miami Beach Marina (SSDI North & South) and several other properties owned by the Portofino Group in the South Pointe Area. Portofino's properties west of Washington Ave. are subject to a DRI and their development is conditioned by a Settlement Agreement with the RDA (1998). The first phase involving Portofino Tower, a 228-unit luxury condominium was completed in 1997. The second phase is the Yacht Club at Portofino a 361-unit luxury condominium, on the south part of the Marina (SSDI South), and the adjacent Murano Tower, a 189-unit luxury condominium, which was completed in 2002. The RDA's responsibilities relative to these developments include the reimbursement to the Developer for utility relocations, the completion and repair of the seawall and baywalk, public parking for the Marina (located in the first floor of each of the projects' parking garages) and certain streetscape improvements. The third phase, involving the construction of two luxury condominium towers, Murano Grande and Icon, which will house approximately 555 units, is underway. Murano Grande is in the process of obtaining a final CO. The construction of the ICON project is expected to take 12 months to complete.

**Total CRA participation:** Est. \$14 Million - utility relocations, completion and repair of the seawall and baywalk, public parking for the Marina and certain streetscape improvements.

## **Project**

**Status - as of 12/28/04**

### **Temporary Alaska Parcel Baywalk**

In connection with parking lots constructed south of South Pointe Drive, and pursuant to a Planning Board Order issued on August 22, 2001, the property owner of the Alaska Parcel agreed to grant the City/RDA a temporary non-exclusive baywalk access easement over and upon the setback area solely for the purposes of public access and to allow the City/RDA to construct, operate and maintain a temporary baywalk for the duration of the period of time that the Alaska Bayfront Assemblage is utilized for temporary parking purposes. Consequently, on May 29, 2002, Resolution 421-2002 was passed appropriating \$171,000 from South Pointe Tax Increment Funds for the construction costs of a temporary **pedestrian** baywalk. On March 19, 2003, Resolution 447-2003 accepted a grant of a temporary baywalk easement, and further appropriated an amount not to exceed \$60,000 for the operation and maintenance of the baywalk. Construction of the temporary baywalk was completed in August, 2003.

**Total CRA participation:** \$231,000 for construction, operation and maintenance of baywalk.

### **Streetscape Improvements**

A \$27 million streetscape improvement project for the South Pointe Area, based on a Master Plan and preliminary design by Duany Plater-Zyberk and endorsed by South Pointe Advisory Board; Phase I of the streetscape improvements, comprising Third Street and Washington Avenue, including its two-block extension in South Pointe Park, was completed in October 2002. On September 25, 2002, the Commission approved an A/E services contract with Wolfberg Alvarez in the amount of \$469,634 for the planning and design of Phase II of the project. On February 4, 2004, the Commission approved the Basis of Design Report for Phase II and construction design is currently at 30% completion. Phase II construction is expected to begin in mid-2005 and will require approximately 16 months to complete. An RFQ was issued for AE services for Phases III, IV, and V of the project, and a selection process was undertaken, resulting in the City Commission authorizing negotiations with Chen and Associates on September 8, 2004. A final negotiation session is scheduled for January 2005.

**Total CRA participation:** \$27 Million

## **Project**

**Status - as of 12/28/04**

### **South Pointe Park**

Preparation and implementation of Master Plan for South Pointe Park, funded by a combination of tax increment and GO Bond funds. The project will include landscaping, lighting, pedestrian paths, parking and maintenance facilities. An RFQ for required design services was issued in early 2003 but responses were subsequently rejected when it was determined that the size and shape of the park property was likely to change as a result of the Portofino settlement agreement. A settlement agreement was approved on July 28, 2004. A new RFQ was issued on September 20, 2004. An RFQ Evaluation Committee was appointed by the City Manager and on October 29<sup>th</sup> ranked Hargreaves and Associates as the top firm. On November 10<sup>th</sup> the City Commission approved negotiations with Hargreaves. A negotiation session was held on December 16<sup>th</sup> and Commission contract award is expected in January 2005.

**Total Project Cost: \$5.2 Million**

**Total CRA participation: \$3.2 Million**

### **Waste Water Booster Pump Station**

In order to address the City's need for a waste water master booster pump station, Camp Dresser & McKee, Inc. is in the process of designing a facility on the city-owned triangular property which fronts Alton Road, between First Street and Commerce Street. The City has negotiated an Amendment to the Architectural and Engineering Agreement to re-design the Project to consolidate the size of the building and its location on one site versus two, while maintaining a façade that adapts to the neighborhood. The Amendment was approved at the September 8, 2004 Commission Meeting, was executed, and CDM given a Notice to Proceed. CDM has commenced the design process which is scheduled to be completed within ten (10) months. Once the design has been permitted, it will be Bid shortly thereafter. CDM is currently investigating the feasibility of eliminating the generator, thereby significantly reducing the size of the structure and construction costs, which are currently estimated in the range of \$11.4 to \$14.3 million. Once this is evaluated and a decision is made, the 30% Construction Documentation will be finalized for presentation to the DRB and community meetings will be scheduled. A coordination meeting is being scheduled with WASAD in January 2005, to coordinate the pump station work with the new force mains to be installed in the South Beach area. This project is being fully funded through funds from the RDA.

**Total Project Cost: TBD**

**Total CRA participation: TBD**

### **Art in Public Places**

The required Art in Public Places component of the Public Plaza on Washington Avenue and Third Street, has been designed and is being constructed.

**Total Project Cost: \$100,000**

**Total CRA participation: \$100,000**

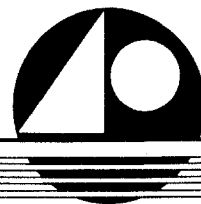
**CITY CENTER**

**REDEVELOPMENT DISTRICT**

**FINANCIAL INFORMATION**

**FOR THE MONTH ENDED**

**NOVEMBER 30, 2004**



January 12, 2005

**TO:** Jorge M. Gonzalez, Executive Director

**FROM:** Patricia D. Walker, Chief Financial Officer  
City of Miami Beach

**SUBJECT:** City Center Redevelopment District Financial Information  
For the Two Months Ended November 30, 2004

At the July 15, 1998 Commission/Redevelopment Agency meeting a request was made for monthly financial information for the City Center Redevelopment District. The information has been compiled and is attached.

#### **Historical Cash Basis Financial Information**

The summary report included in the attached material, reflects that during the period from October 1, 1993 through November 30, 2004 approximately \$276,255,000 of revenues were received in the City Center District of the Redevelopment Agency ("RDA").

The primary sources of these revenues included approximately:

- \$ 108,779,000 - Bond proceeds;
- \$ 71,516,000 - Incremental Ad Valorem tax;
- \$ 19,852,000 - Loews Hotel Exercise Option;
- \$ 19,190,000 - Draws from the line of credit from the City of Miami Beach;
- \$ 16,392,000 - Resort tax contributions;
- \$ 10,233,000 - Anchor Garage receipts;
- \$ 8,235,000 - Loews Ground Lease receipts;
- \$ 7,760,000 - Interest income;
- \$ 3,000,000 - Loan from the City of Miami Beach;
- \$ 2,700,000 - Contributions from GMCVB toward debt service payments;
- \$ 2,542,000 - Anchor Shops receipts;
- \$ 1,976,000 - Reimbursements from other state and local agencies;
- \$ 700,000 - Contribution from CMB Parking Department;
- \$ 470,000 - RDP Royal Palm Ground Lease receipts; and
- \$ 2,910,000 - From various sources.

On the expenditure side, approximately \$238,393,000 has been expended from October 1, 1993 through November 30, 2004. These approximate expenditures were primarily made in the following areas:

- \$ 90,669,000 - Debt Service Payments;
- \$ 61,516,000 - Convention Center Hotel Project (Loews Hotel);
- \$ 18,248,000 - Hotel Garage Project;
- \$ 16,353,000 - Lincoln Road/Bass Museum Loan Repayment to CMB;
- \$ 12,919,000 - African-American Hotel Project;
- \$ 9,553,000 - Collins Park Cultural Center;
- \$ 6,716,000 - Administrative Costs;
- \$ 6,721,000 - Anchor Garage Operations;
- \$ 5,338,000 - Colony Theater;
- \$ 2,903,000 - Beachwalk Project;
- \$ 2,385,000 - Secondary Pledge Repayments (Resort Tax);
- \$ 1,145,000 - Washington Avenue Streetscapes;
- \$ 1,379,000 - Lincoln Road Project;
- \$ 558,000 - Anchor Shops Operations;
- \$ 474,000 - Community Policing;
- \$ 182,000 - Movie Theater Project; and
- \$ 1,334,000 - Other Project Costs.

The cash balance as of November 30, 2004 is approximately \$37,862,000. This balance consisted of the following amounts:

- \$ 25,797,000 - Cash and Investments Balance;
- \$ 5,858,000 - Fully Funded Debt Service Reserve Accounts;
- \$ 4,401,000 - Construction Accounts; and
- \$ 1,806,000 - Portion of Debt Service Payments, Held in Trust.

JMG:PDW:MIM:jar 

**SUMMARY OF**  
**CASH BASIS TRANSACTIONS**  
**FOR THE MONTH ENDED**  
**NOVEMBER 30, 2004**

**Redevelopment Agency - City Center/Historic Convention Village**  
**Summary of Cash Basis Transactions by Project**  
**Fiscal Years 1994 - 2005 (through November 30, 2004)**

	Prior Years	FY 2005	Total Rev./Expend.
<b>OPENING CASH/INVESTMENT BALANCE</b>	\$	\$ 38,881,436	
<b>REVENUE</b>			
- Tax increment - County	32,643,406	-	\$ 32,643,406
- Tax increment - City	38,280,639	-	38,280,639
- Tax increment (Interest) - County	19,057	-	19,057
- Tax increment - Children's Trust	572,876	-	572,876
- Bond proceeds	108,779,453	-	108,779,453
- Rental income	9,300	-	9,300
- Anchor Garage receipts	9,829,417	257,466	10,086,883
- Anchor Garage deposit card receipts	18,926	440	19,366
- Anchor Shops rental income	2,384,479	103,722	2,488,201
- Anchor Shops rental deposits	52,230	1,803	54,033
- Loews Facility Use/Usage Fee	126,504	-	126,504
- Loews Ground Lease Receipts	8,151,450	83,334	8,234,784
- Loew Hotel - exercise option (prepayment)	19,852,303	-	19,852,303
- RDP Royal Palm Ground Lease Receipts	433,555	36,667	470,222
- Interest income	7,513,341	246,405	7,759,746
- Resort tax contributions	16,145,531	246,728	16,392,259
- Bid deposits - hotels	375,000	-	375,000
- Bid deposits - cinema	100,000	-	100,000
- Loan from City	3,000,000	-	3,000,000
- Line of credit from City	19,190,000	-	19,190,000
- Cultural Campus	1,975,762	-	1,975,762
- St. Moritz Hotel - refund/reimbursement	925,450	-	925,450
- Reimbursements (GMCVB/RE taxes/Grants)	3,864,530	-	3,864,530
- St. sales tax (receipt - income for pmt. to St)	804,123	25,687	829,810
- Miami City Ballet environmental clean-up	31,698	-	31,698
- Anchor Garage insurance reimbursement	26,170	-	26,170
- Real Estate taxes refund	56,585	-	56,585
- Miscellaneous	90,791	450	91,241
<b>TOTAL REVENUE</b>	<b>275,252,576</b>	<b>1,002,702</b>	<b>\$ 276,255,278</b>

**EXPENDITURES**

**PROJECTS**

African-American Hotel	(12,918,651)	(57)	(12,918,708)
Convention Hotel	(61,516,007)	-	(61,516,007)
Hotel Garage - Construction	(18,247,976)	-	(18,247,976)
Movie Theater Project	(182,200)	-	(182,200)
Lincoln Road	(1,333,544)	(45,090)	(1,378,634)
Beachwalk	(2,903,091)	-	(2,903,091)
Collins Park Cultural Center	(9,270,931)	(281,859)	(9,552,790)

**Redevelopment Agency - City Center/Historic Convention Village**  
**Summary of Cash Basis Transactions by Project**  
**Fiscal Years 1994 - 2005 (through November 30, 2004)**

	Prior Years	FY 2005	Total Rev./Expend.
Bus Prop. Ctr.	(159)	-	(159)
Chamber of Commerce Relocation Study	(2,000)	-	(2,000)
Colony Theater	(5,042,633)	(295,361)	(5,337,994)
Cultural Campus	(36)	-	(36)
East/West Corridor	(88)	-	(88)
Electrowave	(3,161)	-	(3,161)
Garden Center	(93)	-	(93)
Guidelines	(12,450)	-	(12,450)
Old City Hall	(499)	-	(499)
17th Street Surface Lot	(251,563)	-	(251,563)
Streetscapes	(324,849)	-	(324,849)
6th Street Streetscape	(577)	-	(577)
Botanical Gardens	(30,302)	-	(30,302)
Transportation Mobility Study	(32,225)	-	(32,225)
Convention Center Storm Water Improve.	(37,322)	(9,041)	(46,363)
New World Symphony	(21,611)	-	(21,611)
Washington Avenue Streetscape	(519,631)	(625,389)	(1,145,020)
Rotunda	(101,122)	-	(101,122)
R.O.W. Improvements	(35,068)	-	(35,068)
Flamingo (16 St. Corridor)	(4,721)	-	(4,721)
Bass Museum	(468,840)	-	(468,840)
<b>Total Projects</b>	<b>(113,261,350)</b>	<b>(1,256,797)</b>	<b>(114,518,147)</b>
<b><u>ADMINISTRATION</u></b>	<b>(6,560,888)</b>	<b>(154,982)</b>	<b>(6,715,870)</b>
<b><u>DEBT SERVICE/LOAN REPAYMENT</u></b>	<b>(93,053,733)</b>	<b>-</b>	<b>(93,053,733)</b>
<b><u>CITY OF MIAMI BEACH/LOAN REPAYMENT</u></b>	<b>(16,353,026)</b>	<b>-</b>	<b>(16,353,026)</b>
<b><u>ANCHOR GARAGE OPERATIONS</u></b>	<b>(6,271,585)</b>	<b>(449,010)</b>	<b>(6,720,595)</b>
<b><u>ANCHOR SHOPS OPERATIONS</u></b>	<b>(540,010)</b>	<b>(17,495)</b>	<b>(557,505)</b>
<b><u>COMMUNITY POLICING</u></b>	<b>(330,547)</b>	<b>(143,315)</b>	<b>(473,862)</b>
<b>TOTAL EXPENDITURES</b>	<b>(236,371,139)</b>	<b>(2,021,599)</b>	<b>\$ (238,392,738)</b>
<b>ENDING CASH/INVSTMT. BALANCE</b>	<b>\$ 38,881,436</b>	<b>\$ 37,862,539</b>	

**Redevelopment Agency - City Center/Historic Convention Village**  
**Summary of Cash Basis Transactions by Expenditure Type**  
**Fiscal Years 1994 - 2005 (through November 30, 2004)**

	Prior Years	FY 2005	Total Rev./Expend.
<b>OPENING CASH/INVESTMENT BALANCE</b>	\$	\$ 38,881,436	
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- Miscellaneous	90,791	450	91,241
<b>TOTAL REVENUE</b>	<b>275,252,576</b>	<b>1,002,702</b>	<b>\$ 276,255,278</b>

**EXPENDITURES**

Administrative fees	(31,684)	-	(31,684)
Appraisal fees	(125,368)	-	(125,368)
Bid refund	(230,000)	-	(230,000)
Board up	(60,758)	-	(60,758)
Bond costs	(211,440)	-	(211,440)
Building permit fees	(173,269)	-	(173,269)
Construction	(48,196,238)	(279,136)	(48,475,374)
Delivery	(2,995)	-	(2,995)
Demolition	(203,195)	-	(203,195)
Electric service	(1,976)	-	(1,976)
Environmental	(354,908)	-	(354,908)
Equipment rental	(55,496)	-	(55,496)

**Redevelopment Agency - City Center/Historic Convention Village**  
**Summary of Cash Basis Transactions by Expenditure Type**  
**Fiscal Years 1994 - 2005 (through November 30, 2004)**

	Prior Years	FY 2005	Total Rev./Expend.
Hotel negotiation consultant	(849,243)	-	(849,243)
Hotel selection/study	(263,357)	-	(263,357)
Land acquisition	(41,240,564)	-	(41,240,564)
Legal fees/costs	(2,720,324)	(57)	(2,720,381)
Lighting	(53,280)	(1,213)	(54,493)
Lot clearing	(34,771)	-	(34,771)
Maintenance	(245,288)	-	(245,288)
Miscellaneous	(444,949)	-	(444,949)
Owner's representative fee & expenses	(1,823,466)	-	(1,823,466)
Postage, printing & mailing	(27,855)	-	(27,855)
Professional services	(3,619,957)	-	(3,619,957)
Public notice/advertisement	(26,472)	-	(26,472)
Refund of deposits	(185,000)	-	(185,000)
Reimburse closing costs to C.M.B.	(3,000,000)	-	(3,000,000)
Reimbursements	(78,041)	-	(78,041)
Relocation	(131,784)	-	(131,784)
Revitalization	(864,469)	(41,250)	(905,719)
Security guard service	(277,825)	-	(277,825)
Streetscape	(401,312)	-	(401,312)
Temporary staffing	(63,217)	(2,627)	(65,844)
Title insurance	(25,271)	-	(25,271)
Traffic parking study	(8,600)	-	(8,600)
Training, conferences & meetings	(3,268)	-	(3,268)
Travel & related expenses	(28,730)	-	(28,730)
Utilities	(328,706)	(2,723)	(331,429)
Water/Sewer (impact fees)	(25,240)	-	(25,240)
<b>Total</b>	<b>(106,418,316)</b>	<b>(327,006)</b>	<b>(106,745,322)</b>
<b>- Miscellaneous Projects</b>	<b>(6,843,034)</b>	<b>(929,791)</b>	<b>(7,772,825)</b>
<b>Total Projects</b>	<b>(113,261,350)</b>	<b>(1,256,797)</b>	<b>(114,518,147)</b>
 <b><u>ADMINISTRATION</u></b>	 <b>(6,560,888)</b>	 <b>(154,982)</b>	 <b>(6,715,870)</b>
<b><u>DEBT SERVICE/LOAN REPAYMENT</u></b>	<b>(93,053,733)</b>	<b>-</b>	<b>(93,053,733)</b>
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<b><u>ANCHOR GARAGE OPERATIONS</u></b>	<b>(6,271,585)</b>	<b>(449,010)</b>	<b>(6,720,595)</b>
<b><u>ANCHOR SHOPS OPERATIONS</u></b>	<b>(540,010)</b>	<b>(17,495)</b>	<b>(557,505)</b>
<b><u>COMMUNITY POLICING</u></b>	<b>(330,547)</b>	<b>(143,315)</b>	<b>(473,862)</b>
 <b>TOTAL EXPENDITURES</b>	 <b>(236,371,139)</b>	 <b>(2,021,599)</b>	 <b>\$ (238,392,738)</b>
 <b>ENDING CASH/INVSTMT. BALANCE</b>	 <b>\$ 38,881,436</b>	 <b>\$ 37,862,539</b>	

**CHECK & WIRE TRANSFER  
REGISTER**

**SORTED BY**

**PROJECT & TYPE OF  
EXPENDITURE**

**FOR THE MONTH ENDED  
NOVEMBER 30, 2004**

**Redevelopment Agency - City Center District**  
**Check & Wire Transfer Register by Project & Type of Expense**  
**Fiscal Year 2004 (through November 30, 2004)**

Check #	Date	Payee	Amount	Type of Expense	Project or N/A
4383	10/19/04	***Void***	0.00		Administration
			0.00		
4428	11/24/04	Wachovia Bank	11,398.25	Annual Admin. Fees for Bond Series	Administration
			11,398.25		
4384	10/19/04	Department of Community Affairs	175.00	Misc.-Annual Special District Fee	Administration
4422	11/24/04	Comet Courier Corp.	39.13	Miscellaneous-Courier	Administration
4423	11/24/04	Florida Redevelopment Association	297.50	Miscellaneous-Annual Dues	Administration
4424	11/24/04	Iron Mountain Records Management	44.02	Miscellaneous-Storage	Administration
4426	11/24/04	Rockhurst University Continuing	37.45	Miscellaneous	Administration
4427	11/24/04	Toshiba Business Solutions	944.89	Miscellaneous-Copier Rental	Administration
			1,537.99		
4425	11/24/04	J.B. Alhale & Associates, Inc.	450.00	Professional Services/Legal - Reissue Ck#2766	Administration
			450.00		
Wire	11/22/04	Miami Beach Redevelopment Agency	3,145,000.00	Transfer to Fiduciary Trust Int'l for Investment	Administration
Wire	11/29/04	Miami Beach Redevelopment Agency	100,000.00	Transfer to Fiduciary Trust Int'l for Investment	Administration
			3,245,000.00		
Wire	11/05/04	Fiduciary Trust International	141,595.63	Accrued interest on investments purchased	Administration
			141,595.63		
<b>TOTAL ADMINISTRATION</b>			<b>3,399,981.87</b>		
4385	10/22/04	Paul Acosta	248.40	Reimb Travel Exp	Community Policing
4389	10/25/04	J.C. White Office Furniture	7,073.54	Office Furniture	Community Policing
4390	10/25/04	Miami Beach RDA - City Center	58,581.00	Reimb CCHC - 3 Crown Victorias	Community Policing
4393	10/25/04	Software House Intl	804.78	Computer Software	Community Policing
4395	10/28/04	City of Miami Beach	1,420.35	Reimb CMB - Visa Charges	Community Policing
4402	11/03/04	Law Enforcement Supply	36,036.80	Police Sedans Lighting & Equipment	Community Policing
4418	11/18/04	Motorola	39,150.00	Nine Police Vehicles Radios	Community Policing
			143,314.87		
<b>TOTAL COMMUNITY POLICING</b>			<b>143,314.87</b>		
4421	11/24/04	Bloom & Minsker	57.00	Legal Fees	African-American Hotel
			57.00		
<b>TOTAL AFRICAN-AMERICAN</b>			<b>57.00</b>		
4414	11/17/04	Armor Security	16,032.22	Security Services	Anchor Garage Operations
			16,032.22		
4387	10/25/04	City of Miami Beach	2,359.28	Property Management Work	Anchor Garage Operations
			2,359.28		
4408	11/04/04	City of Miami Beach	1,827.78	Waste & Storm Water Impact Fee October 2004	Anchor Garage Operations
4419	11/19/04	City of Miami Beach	1,367.06	Waste & Storm Water Impact Fee November 2004	Anchor Garage Operations
			3,194.84		
4392	10/25/04	Christopher Sugrue	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
4405	11/03/04	Julie Guthrie	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
4406	11/03/04	Mario Guzmán	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
4416	11/17/04	Enrique M. Servatino	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
4417	11/17/04	Kareem Tabsch	10.00	Return Parking Access Card Deposit	Anchor Garage Operations
			50.00		
4407	11/04/04	BellSouth	123.40	Telephone Service	Anchor Garage Operations
			123.40		
4397	10/29/04	Royce Parking Control System, Inc.	6,026.46	Equipment Replacement	Anchor Garage Operations
			6,026.46		
4388	10/25/04	FPL	3,990.48	Electricity	Anchor Garage Operations
			3,990.48		
4411	11/10/04	Miami-Dade County Tax Collector	397,339.10	Miscellaneous-Property Taxes	Anchor Garage Operations
4415	11/17/04	City of Miami Beach - Petty Cash	16.04	Miscellaneous-Telephone	Anchor Garage Operations
			397,355.14		

**Redevelopment Agency - City Center District**  
**Check & Wire Transfer Register by Project & Type of Expense**  
**Fiscal Year 2004 (through November 30, 2004)**

Check #	Date	Payee	Amount	Type of Expense	Project or N/A
4404	11/03/04	Miami Beach Redevelopment, Inc.	2,545.01	Facility Use / Usage Fee	Anchor Garage Operations
			<u>2,545.01</u>		
Wire	10/19/04	Florida Department of Revenue	8,414.19	Sales Tax Payment	Anchor Garage Operations
Wire	11/19/04	Florida Department of Revenue	8,919.30	Sales Tax Payment	Anchor Garage Operations
			<u>17,333.49</u>		
<b>TOTAL ANCHOR GARAGE OPER.</b>			<b>449,010.32</b>		
4413	11/15/04	Miami Beach Community Development Corp.	6,494.22	Reimb. - Operating Exp.	Anchor Shops Oper.
4420	11/19/04	Miami Beach Community Development Corp.	4,359.86	Reimb. - Operating Exp.	Anchor Shops Oper.
			<u>10,854.08</u>		
Wire	10/19/04	Florida Department of Revenue	2,784.89	Sales Tax	Anchor Shops Oper.
Wire	11/19/04	Florida Department of Revenue	3,856.48	Sales Tax	Anchor Shops Oper.
			<u>6,641.37</u>		
<b>TOTAL ANCHOR SHOPS OPER.</b>			<b>17,495.45</b>		
4394	10/27/04	The Tower Group	250,948.15	Construction Work-Library	Collins Park Cultural Center
4396	10/28/04	URS Corporation	28,187.54	Construction Work-Library	Collins Park Cultural Center
			<u>279,135.69</u>		
4398	11/02/04	City of Miami Beach	1,048.23	Waste & Storm Water Impact Fee - Library	Collins Park Cultural Center
4408	11/04/04	City of Miami Beach	627.39	Waste & Storm Water Impact Fee - Library	Collins Park Cultural Center
4410	11/10/04	City of Miami Beach	1,048.23	Waste & Storm Water Impact Fee - Library	Collins Park Cultural Center
			<u>2,723.85</u>		
<b>TOTAL COLLINS PARK CULTURAL CENTER</b>			<b>281,859.54</b>		
4400	11/02/04	McCartney Construction Company	292,899.59	Construction Costs	Colony Theater Restoration
			<u>292,899.59</u>		
4391	10/25/04	R.J. Heisenbottle Architects	1,230.50	Professional Services - 45	Colony Theater Restoration
4401	11/02/04	R.J. Heisenbottle Architects	1,230.50	Professional Services - 46	Colony Theater Restoration
			<u>2,461.00</u>		
<b>TOTAL COLONY THEATER RESTORATION</b>			<b>295,360.59</b>		
4399	11/02/04	Mercedes Electric Supply, Inc.	1,212.53	Lighting	Lincoln Road Improv. Project
			<u>1,212.53</u>		
4403	11/03/04	Tri-State Employment Services, Inc.	2,626.56	Temporary Labor	Lincoln Road Improv. Project
			<u>2,626.56</u>		
4409	11/09/04	Legacy Pools of South Florida, Inc.	41,250.00	Fountain Upgrades	Lincoln Road Improv. Project
			<u>41,250.00</u>		
<b>TOTAL LINCOLN ROAD IMPROVE. PROJECT</b>			<b>45,089.09</b>		
4412	11/12/04	Hazen & Sawyer	9,040.50	Construction Management	Conv. Ctr. Storm Water Impr
			<u>9,040.50</u>		
<b>TOTAL CONV. CTR. STORM WATER IMPROV</b>			<b>9,040.50</b>		
4386	10/22/04	Ric-Man International, Inc.	625,389.05	ROW Infrastructure Improvements	Washington Ave. Streetscape
			<u>625,389.05</u>		
<b>TOTAL WASHINGTON AVE. STREETSCAPE</b>			<b>625,389.05</b>		
<b>REPORT TOTAL</b>			<b>\$ 5,266,598.28</b>		

**ATTACHMENT “A”**

**SUMMARY OF MAJOR  
PROJECTS**

## **REDEVELOPMENT PROJECTS (Planned and/or Underway)**

### **City Center Projects:**

#### **Project**

**Status - as of 12/28/04**

#### **Beachwalk Project**

An at-grade, landscaped pedestrian beachwalk, connecting 21st Street to Lummus Park, designed and engineered by Coastal Systems International. The Project was permitted by the State of Florida in March, 1998. The Project was contested by a property owner and was stalled for almost 5 years in court. In November, 2001, the City received a Partial Notice to Proceed from the State of Florida as a result of a favorable finding for City by the courts. The full permit was issued in April 2002. Plans and bid specifications for the Beachwalk as well as the street-end improvements for 17th and 18th Street street-ends, which are part of the Beachwalk, have been updated and completed by the Architect. The Project was put out to bid during the last week of August 2002. Proposals were received during the last week of October. On November 13, 2002, the RDA awarded a contract to R. L. Saum Construction Co. to proceed with the project and appropriated \$3.7 million. Construction began during mid-March 2003 and is being phased as to mitigate adverse impact to area hotels and businesses fronting the beach. The project is anticipated to be substantially complete by the end of December 2004.

**Total Project Cost: \$4.5 Million**

**Total CRA participation: \$4.5 Million - Construction**

#### **17<sup>th</sup> & 18<sup>th</sup> Street-end Project**

The current layout of the 17<sup>th</sup> and 18<sup>th</sup> Street street-ends poses severe limitations for traffic circulation and parking, especially as it relates to the operations of the Delano and Ritz Plaza Hotels. Coastal Systems contract for the design of the Beachwalk was amended to include the development of conceptual plans and cost estimates for the extension of 17th and 18th Streets, seaward to the ECL. Plans call for extending and reconstructing both street-ends to match the Boardwalk motif. The street-end cul-de-sacs will be relocated approximately 50 to 70 feet east, respectively, to enhance the conditions of the streets and improve the street-end layout. Extension and reconstruction of the two street-ends will involve demolition and reconstruction of the public right-of-way with new curbing, paver block side-walks, asphalt pavement, striping and signage. Construction Drawings and specifications have been updated to reflect FDOT improvements and tie-ins on Collins Avenue. The Street-end Project was bid as part of the Beachwalk Project and commenced with 17<sup>th</sup> Street in August, 2004. Due to certain event-related conflicts involving area hotels, 18<sup>th</sup> Street will be delayed until Spring/Summer 2005.

**Total Project Cost (est): \$750,000**

**Total CRA participation: \$750,000 - Construction**

## **Project**

**Status - as of 12/28/04**

### **Collins Park Cultural Center**

Implementation of a Master Plan calling for the development of a new regional library, streetscape and park improvements to link cultural activities in the area, including the Bass Museum and the Miami City Ballet. Land acquisition through eminent domain was completed in January 2002 and construction documents for the remaining portions of the Cultural Campus as identified in the Master Plan have been completed. On April 10, 2002, the City awarded the construction contract for the Library to the Tower Group. Construction began in May 2002 and achieved substantial completion in October, 2004. A final Certificate of Occupancy was issued in November, 2004, and the facility was turned over to the Miami Dade County Library System on December 6, 2004. Negotiations with Stern Architects failed to reach an agreement for the design of Collins Park. As such, the scope of work for the Park was included in the Request for Qualifications for the Rotunda, which is part of the old library that will be preserved and converted into a public venue for performing arts and public functions. An RFQ process has resulted in the selection MC Harry & Associates to undertake the design process. Contract negotiations were finalized and award of A/E Agreement was approved on July 28, 2004. The A/E agreement has been executed and a Notice to Proceed for Planning Services was issued on November 17, 2004. A visioning session was held on December 15, 2004 and MC Harry & Associates is preparing two design concepts.

**Total Project Cost:** \$18.4 Million – includes land acquisition, completed and proposed streetscape, park and surrounding infrastructure improvements.

**Total CRA participation:** \$15.3 Million.

### **Colony Theater Project**

The City has engaged the State of Florida's Department of Management Services to manage the restoration and renovation of the Colony Theater. Preliminary plans called for the removal of the rear 45 feet of existing building, construction of a new stage house, small second and third floor service areas behind the stage, a fourth floor "Backstage" area, elevator, stairs, and the addition of a new vestibule and exterior access ramp to provide ADA access to the stage. The historic preservation scope involves removing the existing marquee and storefront on Lincoln Road and restoring it to its original historic appearance and modifying the interior lobby, office and concession area to be more consistent with the building's original design. Construction drawings were completed on April 29, 2002. Due to delays with structural reviews and permitting, the Project start-up was delayed by approximately 6 months, beginning in late November, 2002, and is anticipated to be substantially complete by early 2005. To date, demolition of the main stage house, as well as, non-historic portions of the lobby are completed. Vertical construction on the site of the new stage house is well underway. On March 17, 2004, the RDA had to appropriate an additional \$1.6 Million towards the project to compensate for the loss of \$500,000 in State grant funds and to address

## **Project**

**Status - as of 12/28/04**

### **Colony Theater Project, continue**

certain unforeseen project costs, which is not untypical of historic renovation projects.

Delays are being experienced due to a crumbling parapet on the existing roof. The project as a whole is approximately 80% complete. The construction of the project is significantly behind schedule. In August 2004, the City placed a full time inspector on site to monitor the work of the contractor and to ensure that the project moves ahead in a timely manner.

**Total Project Cost: \$6.8 Million**

**Total CRA participation: \$5.0 Million - Construction**

### **New World Symphony**

The Administration has successfully negotiated a Lease and Development Agreement with the New World Symphony (NWS) regarding its proposed lease of a portion of the 17th Street Surface Parking Lot to accommodate its Sound Space design concept (the Project). As envisioned, the proposed 50,000 square foot facility will provide state-of-the-art communication and media capabilities with performance, classroom, rehearsal and broadcast space. In addition to providing a world-renowned, state-of-the-art facility, another focal point for the community, and the basis for considering the facility's location on this site, is that it will incorporate giant video screen(s) on one or more facades of the building, allowing the public to view live and recorded broadcasts from around the world. The Master Plan contemplates situating the facility on the west surface lot, just to the north of the exiting NWS Theater on Lincoln Road. On July 30, 2003, the Development Agreement between the City of Miami Beach and the New World Symphony, following a duly noticed public hearing, was approved on first reading. A second and final reading of the Development Agreement was held on September 10, 2003, together with a Resolution approving a Lease Agreement, following a separate public hearing. The NWS engaged world-renowned Architect, Frank Gehry to spearhead the design of the project.

Conceptual design alternatives for the proposed project have been submitted for review by the City Manager were subsequently reviewed by the Planning Board on May 25, 2004. On September 8, 2004, the City Commission endorsed one of three concept plan proposals, placing the facility on the west surface lot, with the main entrance/drop off located on Drexel Avenue and the garage facing Pennsylvania Avenue. The proposal calls for creative realignment of Drexel Avenue that allows it to stay open to traffic.

Pursuant to the direction of the City Commission on September 8, 2004 and consistent with the Planning Board's August 24, 2004 recommendation that the entire two (2) blocks, including the Park, be designed as an integrated site, Gehry Partners LLP was asked to submit a proposal and cost estimate to undertake design services for the proposed Park. The proposal was submitted for review by the Finance and

## **Project**

## **Status - as of 12/28/04**

### **New World Symphony, continue**

Citywide Projects Committee at its meeting on October 26, 2004.

The Committee recommended in favor of amending the Development Agreement between the City and NWS to expand the NWS' scope to include the design and development of the Zone 1, comprising the park, Drexel Avenue between North Lincoln Lane and 17<sup>th</sup> Street and improvements adjacent to the new garage, at the Owner's cost and expense, not to exceed \$10,000,000; Zone 2, comprising the Theater of the Performing Arts entry landscaping at the Owner's cost and expense, not to exceed \$1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the Owner's cost and expense, not to exceed \$500,000.

Separately, but related to the implementation of the 17<sup>th</sup> Street Master Plan and the realization of NWS' plans, the architectural firm of Perkins and Will has been contracted to undertake the programming and design of the City Hall Expansion Lot parking facility. On December 17, 2004, the Architect conducted an internal visioning session with the Administration, sharing initial concept plans and obtaining input to further the Project's design.

**Total Project Cost:** Soundspace - Min. \$40 million; Parking component - \$5 million; Park component - \$10 million

**Total CRA participation:** TBD

### **City Center Right-of-Way Improvement Project**

The City Center Right of Way (ROW) Infrastructure Improvement Project is a \$19 million infrastructure project which includes the restoration and enhancement of right-of-ways/streetscapes throughout City Center, including roadway, sidewalk, curb and gutter, landscape, streetscape irrigation, lighting, potable water, and storm drainage infrastructure as needed. Proposals were received in response to an RFQ for architectural and engineering services for the planning and design of the project. The selection process resulted in a contract award to Chen and Associates by the City Commission on September 8, 2004. A project Kick Off meeting and Site Visit were held in November and a Visioning Session is scheduled for mid-January 2005. The estimated budget for the project is \$21.1 Million, comprised of \$2.1 Million in soft costs and \$19 Million in hard construction costs.

**Total Project Costs:** \$21.1 Million

**Total CRA participation:** \$21.1 Million

### **Botanical Garden Improvements**

The Miami Beach Garden Conservancy has initiated efforts to achieve accreditation of the Botanical Garden through the American Association of Museums. To this end, the Conservancy has been working with the City of Miami Beach and the RDA to define the scope of capital improvements required to achieve this goal. The City identified approximately \$1.5 Million from Series 2000 General Obligation Bonds to undertake the improvements, In July,

**Project****Status - as of 12/28/04****Botanical Garden Improvements, continue**

2003, following an RFQ selection process, EDAW was selected to undertake the planning and design of the facility. A first design workshop was held in May 2004 and a second was held on September 21, 2004. CIP staff met with EDAW in November and December to further refine a preferred concept which will be presented at a final design workshop in early 2005.

**Total Project Cost:** \$1.5 million

**Total CRA participation:** None - TBD

**CITY OF MIAMI BEACH  
REDEVELOPMENT AGENCY SUMMARY**



**Condensed Title:**

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE REDEVELOPMENT AGENCY OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING FINAL PAYMENT TO THE FIRM OF SPILLIS CANDELA DMJM, IN THE AMOUNT OF \$19,335, FOR COMPLETION OF CONSULTING SERVICES ON THE BASS MUSEUM EXPANSION AND RENOVATION PROJECT, AND FURTHER APPROVING APPROPRIATION, IN THE AMOUNT OF \$19,335, FROM REDEVELOPMENT AGENCY FUNDS.

**Issue:**

Should the Chairman and Members of the Redevelopment Agency adopt the Resolution?

**Item Summary/Recommendation:**

On March 26, 1995, the City entered into an Agreement with the firms of Spillis Candela & Partners (SC &P) and Arata Isozaki and Associates (Isozaki) for consulting services for the Bass Museum of Art (the Project). On December 3, 1997, the City Commission approved award of a construction contract to Danville-Findorff, Inc. (DFI). Notice to Proceed was given on February 5, 1998 with a construction period of twenty months. The Project consisted of the renovation of an existing facility and the construction of a new building. The Project received substantial completion on September 2000. Final closeout and a Final Certificate of Occupancy were obtained in May 2002 and final payment Danville-Findorff, Inc. (DFI) was approved by the City Commission on May 29, 2002. Final payment to the consultant, (SC&P), was withheld due to pending issues regarding the HVAC system and the relative humidity levels in the building. As a result, the City asked its Program Manager for facilities, URS Corporation (URS), to examine the HVAC issues and recommend a solution. URS and SC&P did not recommend wholesale changes to the overall HVAC system. They also did not recommend the addition of a humidification system in view of the fact that humidity levels in the South Florida area are generally acceptable for the conditions required in an art museum. Although URS and SC&P had not recommended the installation of permanent humidifiers, the Bass Museum staff strongly recommended inclusion of the units. The cost of adding these units was estimated at about \$60,000 and it was recommended that funds be appropriated from Convention Development Tax funds. The installation of the humidifiers was completed by December 2003. Since that time the system has functioned within the parameters expected. In most instances, when humidification has been required due to outside ambient conditions, the system has functioned properly and has provided levels satisfactory to the museum staff as well as to the requirements of art collection lenders. In some instances, for very short periods of time, although these periods have been reduced, the humidity levels have not achieved the expected optimum levels. Based on the results obtained by the added humidification for the past several months the City entered into final negotiations to closeout the consulting agreement. Final payment, in the amount of \$19,335, consists of time expended while providing additional Construction Administration services during the extended period of construction until completion and closeout of the agreement with DFI. During this period SC&P continued to work with the City to finalize all issues and obtain Final C of O and Final Closeout. Because of SC&P's continuing assistance, their assumption of responsibility for the humidity levels, and their compliance with contractual obligations, staff now recommends that final payment, in the amount of \$19,335, be issued. Staff also recommends that an appropriation from City Center Redevelopment Agency funds be approved in order to make final payment. A final release will be provided to the City by SC&P holding the City harmless for any and all future liability on the project. The City will provide a similar release to SC&P.

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:		Amount	Account	Approved
Finance Dept.	1	\$19,335.00	City Center RDA	
	Total			

**City Clerk's Office Legislative Tracking:**

Jorge E. Chartrand

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
TH	ROM  CMC	

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AGENDA ITEM 3A

DATE 1-12-05

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## MIAMI BEACH REDEVELOPMENT AGENCY MEMORANDUM

**To:** Chairman and Members  
of the Redevelopment Agency

**Date:** January 12, 2005

**From:** Jorge M. Gonzalez, Executive Director

**SUBJECT:** A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE REDEVELOPMENT AGENCY OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING FINAL PAYMENT TO THE FIRM OF SPILLIS CANDELA DMJM, IN THE AMOUNT OF \$19,335, FOR COMPLETION OF CONSULTING SERVICES ON THE BASS MUSEUM EXPANSION AND RENOVATION PROJECT, AND FURTHER APPROPRIATING FUNDS, IN THE AMOUNT OF \$19,335, FROM CITY CENTER REDEVELOPMENT AGENCY FUNDS.

### ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

### FUNDING:

Funding is available from the Redevelopment Agency.

### ANALYSIS:

On March 26, 1995, the City entered into an Agreement with the firms of Spillis Candela & Partners (SC&P) and Arata Isozaki and Associates (Isozaki) for architectural and engineering services for the Expansion and Renovation of the Bass Museum of Art (the Project). On December 3, 1997, the Mayor and City Commission approved award of a construction contract to Danville-Findorff, Inc. (DFI). Notice to Proceed with construction of the project was given on February 5, 1998 with construction expected to last twenty months.

The project itself consisted of two distinct building sections. The first was the existing facility, or original building, and the second was the construction of a new building. The original building portion of the project was primarily a renovation project including a new roof and replacement of the heating, ventilating, and air conditioning (HVAC) system. The new building was new construction.

Both buildings received substantial completion certification in September 2000. Final closeout of the construction contract and a Final Certificate of Occupancy were obtained in May 2002 and final payment to the contractor, Danville-Findorff, Inc. (DFI), was approved by the Mayor and City Commission on the May 29, 2002 Commission meeting. Final payment to the consultant, Spillis Candela DMJM (SC&P), was withheld due to pending issues regarding the HVAC system and the relative humidity levels within the building.

A number of different consultants reviewed the issues with the HVAC system, hired either by the contractor or the A/E consultant. Although recommendations were made and implemented, the HVAC system continued to have difficulty in maintaining strict control over the required temperature and relative humidity levels. As a result, the City asked its Program Manager for facilities, URS Corporation (URS), to examine the HVAC issues and recommend a solution.

Additionally, an independent consulting and test and balance engineering firm, GFS Consulting, Inc. (GFS), was retained by and at the cost of SC&P to assist in the evaluation of all installations as well as the design. Costs for previous corrections and evaluations were borne by SC&P and DFI under their contract responsibilities.

URS and SC&P did not recommend wholesale changes to the overall HVAC system. They also did not recommend the addition of a humidification system in view of the fact that humidity levels in the South Florida area are generally acceptable for the conditions required in an art museum. For those rare and far between periods when humidity levels may be too low, both consultants recommend having on hand portable, humidifying units, which can be utilized on a temporary basis.

The URS recommendations consisted of the installation of a new air conditioning unit at the building Loading Dock area in order to separate this space from the Art Collection Storage Room. The ductwork for the existing unit serving the Art Collection Storage Room was reconfigured to serve this room only and separated from the Loading Dock below in order to obtain better control of the humidity and temperature levels. Existing ductwork at the Loading Dock Area was modified to serve this area only and be separated from the Art Collection Room. The unit to be used was the unit furnished initially for the museum's staff offices, which was replaced by a larger unit. DFI furnished the unit. Finally, the Building Energy Management System (BMS) was re-programmed to allow the HVAC units to operate on humidity and temperature priority rather than on temperature priority as initially installed.

The City entered into an Agreement with DDC Controls to perform some of the work, namely the modifications to the sensors, the installation of the new controls and the re-programming of the BMS. The modifications were funded by previously appropriated funds, in the amount of \$100,000, approved by the Mayor and City Commission on October 17, 2001. This work was completed by December 2001.

The balance of the modifications was subcontracted to another contractor in order to expedite the work and to facilitate closeout of the contract with DFI. This work included drywall and ceiling repairs and replacements, the installation of a floor drain at the Third Floor mechanical Room, the addition of the new A/C unit at the Loading Dock area and the necessary ductwork modifications. These modifications were also funded by the previously appropriated funds, in the amount of \$100,000, approved by the Mayor and City Commission on October 17, 2001. This work was completed by July 2002.

Although, as noted above, URS and SC&P had not recommended the installation of permanent humidifiers to the HVAC system, the Bass Museum staff strongly recommended inclusion of the units. Museum staff provided research in support of their position and presented this research to the Bass Board of Trustees. The cost of adding these units was estimated at about \$60,000 and it was recommended that funds be appropriated for this purpose. Funding was available from Convention Development Tax funds. SC&P agreed to design the system and perform Construction Administration services for this portion of work at no charge to the City.

The installation of the humidifiers, incorporation into the building systems and the BMS, testing, and a period of observation has now been completed. Since December 2003, the system has functioned within the parameters expected. In most instances, when humidification has been required due to outside ambient conditions, the humidifying system has functioned properly and has provided the levels of humidification needed to satisfy the museum staff as well as the requirements of art collection lenders. In some instances, for very short periods of time, although these periods have been reduced, the humidity levels have not achieved the expected optimum levels.

These instances have been significantly minimized and fall within the five percent of the ideal yearly operation of the system that was always expected. SC&P and URS, as well as publications in the industry, have always maintained that absolute perfection in humidity levels is never obtainable in any HVAC system and certainly not in a system within the South Florida environment where humidity levels vary so significantly during the year.

Based on the results which have been obtained by the added humidification system and the monitoring of the levels of humidity for the past several months, which have shown the system to be functioning as expected, the City, at the request of SC&P, entered into final negotiations to closeout the consulting agreement and issue final payment. This final payment, in the amount of \$19,335, consists of time expended while providing additional Construction Administration services during the extended period of construction of the project prior to the completion of construction and the closeout of the agreement with DFI.

During this period, regardless of their existing contractual agreement and the difficulties caused by the delays by DFI in completing the construction, SC&P continued to work with the City to finalize all issues and obtain Final Certificate of Occupancy and Final Closeout. After these were obtained, the City and SC&P agreed to delay final payment on the consulting agreement until all matters regarding the HVAC system and the humidity levels were resolved. SC&P continued to assist the City in all these efforts, provided the design and the monitoring services for installation of the humidity system at no cost to the City and did not stop providing the City all the help required to make the new installations function as desired. Throughout the process they have participated in meetings, assisted with permitting, and helped with insuring that the humidifying system was installed as required, operated properly and was correctly incorporated into the building's BMS.

Because of SC&P's continuing assistance, their assumption of responsibility for the humidity levels and their HVAC design for the building, and their compliance with contractual obligations, staff now recommends that this final payment, in the amount of \$19,335, for work performed in completing the project be issued. Staff also recommends that an appropriation from City Center Redevelopment Agency funds be approved in order to make final payment. A final release will be provided to the City by SC&P holding the City harmless for any and all future liability on the project. The City will provide a similar release to SC&P. Both are customary documents issued at Project closeout.

Concurrent with this recommendation, a report has been given to the Board of Trustees of the Bass Museum on December 15, 2004 and separately to the Friends of the Bass, through Board member Pedro Martinez-Fraga, Esq., on December 15, 2004 as well, with the aforementioned findings. During both meetings the City and the Friends have agreed to meet and review the historical construction timeline and the Friends historical financial performance during construction, to discuss an equitable allocation regarding the yet to be finalized Pledge Agreement for the Friends repayment of their proportionate share of the Bass expansion project.

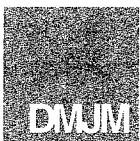
By way of background, when the Bass expansion project was approved, the Friends agreed to contribute \$2.3 million towards the expansion project as set forth in Resolution 2000-24193. With the recurring construction delays and problems, the City held the Pledge Agreement in abeyance pending the completion of all corrective work and successful construction completion.

Therefore, together with the recommended final closeout and payment to Spillis Candela, the Administration will proceed in negotiating with the Friends of the Bass an equitable resolution to the Pledge Agreement and report back to the City Commission.

#### **Attachments**

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SpillisCandela



Peter J. Spillis, AIA  
Hilario E. Candela, FAIA  
Julio Grabiel, AIA  
Guillermo Carreras, AIA  
Donald Dware, FAIA  
Dean K. Newberry, IIDA  
Jesus Cruz, AIA

Deborah S. Klein  
Michael Kerwin, AIA  
Paul Reinerman  
W. Ronald Hunt, PE  
Jorge Iglesias, AIA  
Enrique J. Mariá, AIA  
Sandy O'Neill

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800 Douglas Entrance  
North Tower, Second Floor  
Coral Gables, FL 33134  
P 305.444.4691  
F 305.447.3580  
www.scpmiami.com

September 22, 2004

City of Miami Beach  
Mr. Timothy Hemstreet  
Capital Improvement Projects Office Director  
1700 Convention Center Drive  
Miami Beach, Florida 33139

RE.: Bass Museum – Extended Construction Administration  
SCDMJM Project No. 032113032.0030

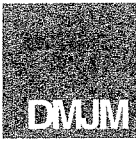
Dear Tim,

It has been quite some time since we have last spoken, and the purpose of this letter is to follow up on the status of the Bass Museum and our efforts to close out the project. We have been kept up to date on the performance of the HVAC system by your staff, and have had several conversations with the manufacturer of the humidification system regarding the installation and system performance over the last eleven months.

It is our understanding that the system has performed as designed, and has effectively introduced the extra humidity when the relative humidity levels within the gallery spaces have dropped to the low range of the design criteria. In essence, the installed HVAC system is maintaining the design criteria in an extended consistent fashion and the humidification system has improved the overall system performance.

It has now been over two years since our meeting to discuss our extended construction administration invoices, the HVAC system, and our desire to close the Contract and gain our release from the project (see attached meeting notes dated June 17, 2002). At that time, the City had not made its decision to provide the facility with a humidification system, and wanted to wait and see how the winter months and lower humidity season affected the system. As stated at the meeting, the City's position was that if the humidification system was required to better maintain the relative humidity within the design criteria, the design of the system should be included in our basic services. Spillis Candela DMJM re-iterated our concerns with indoor air quality and increased maintenance for the City, and maintained that our decision to not include the system with the original design was within industry standards for museum HVAC design in our climatic or geographic location.

Ultimately, the decision was made by the City to provide the museum facility with the humidification system, and Spillis Candela DMJM agreed to provide professional services to accomplish the design and installation of the system. It was our clear understanding that this would be a necessary step towards our goal of closing out the project and gaining our release from the Contract. After notifying the City of the possible less than optimal performance of the humidification system due to existing constraints in the ductwork, the City accepted the risks expressed by our concerns, and requested that our office provide planning schedules and begin to work as soon as possible. Professional services from system and manufacturer selection through construction documents,



permitting and construction administration of the installation were provided. Finally, the commissioning and factory start up of the system was performed in early October of 2003.

Spillis Candela DMJM has continued through difficult times to work with the City to improve the HVAC system performance, and has provided our own services and those of outside consultants to address the HVAC issues at the Bass Museum for a period of four years, at our own cost. The time to observe the system performance through a winter season as requested by the City has passed, and as stated above the installation of the humidification system has significantly improved the overall system performance. Therefore, we respectfully request that our outstanding invoices for extended construction administration services, unrelated to the HVAC issues, be revisited for payment, and we can close this Contract through our requested release.

Along with the meeting notes from June 17, 2002, I have attached our release letter and a Statement of Account with back up. Please review these documents and if needed, we can discuss. If acceptable, please sign and forward one fully executed Final Release and return it to our office.

Sincerely,

A handwritten signature in black ink, reading "Steven P. Berler", with a long, sweeping horizontal line extending to the right.

Steven P. Berler  
Project Manager  
Senior Associate

CC: D.Klem, J. Cruz, I. Gonzalez - Spillis Candela DMJM  
J. Chartrand - City of Miami Beach

**Spillis Candela & Partners, Inc**

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

JORGE CHARTRAND  
PUBLIC WORKS/CITY HALL  
1700 CONVENTION CENTER DRIVE  
MIAMI BEACH, FL 33139  
USA

DATE: 08/25/04

**STATEMENT OF ACCOUNT**

INVOICE	DATE	PROJECT	JOB DESCRIPTION	INVOICE AMT	PAYMENTS	BALANCE
<b>BASS MUSEUM - EXPENSES</b>						
E130	11/01/01	032113032.0000	EXPENSES	\$1,645.42		\$1,645.42
E135	11/12/01	032113032.0000	CONSULTANT EXPENSES	\$420.00		\$420.00
<b>BASS MUSEUM - EXTENDED CONSTRUCTION ADMINISTRATION</b>						
L129	02/14/01	032113032.0030	LABOR	\$3,705.00		\$3,705.00
L130	03/12/01	032113032.0030	LABOR	\$3,420.00		\$3,420.00
L131	04/20/01	032113032.0030	LABOR	\$2,280.00	\$1,935.00	\$345.00
L132	05/17/01	032113032.0030	LABOR	\$3,302.50		\$3,302.50
L133	10/19/01	032113032.0030	LABOR	\$2,185.00		\$2,185.00
L134	08/14/02	032113032.0030	LABOR	\$4,312.50		\$4,312.50

	CURRENT	OVER 30	OVER 60	OVER 90	OVER 120	TOTAL	
	\$0.00	\$0.00	\$0.00	\$0.00	\$19,335.42	\$19,335.42	

## **RESOLUTION TO BE SUBMITTED**